

**SCREENING FORM AND ENVIRONMENTAL ACTION FORM  
FOR A LOW-EFFECT HCP DETERMINATION**

**I. Project Information**

**A. Project name:** Charvonía Parcel Low-Effect Habitat Conservation Plan

**B. Affected species:** Morro shoulderband snail (*Helminthoglypta walkeriana*)

**C. Project size:** 0.59 acre (25,700 square feet)

**D. Brief project description including minimization and mitigation plans:**

**Purpose:** The Charvonía Low-Effect Habitat Conservation Plan (HCP) provides supporting basis for issuance of a section 10(a)(1)(B) incidental take permit (ITP) to Linda and Russ Charvonía (hereafter, the applicants). Permit issuance is necessary to authorize the incidental take of the federally endangered Morro shoulderband snail associated with an otherwise lawful activity: the construction, maintenance, and occupation of a single-family residence on an existing, legal residential parcel.

**Need:** Surveys conducted between 2001 and 2013 demonstrate the continued presence of low numbers of Morro shoulderband snail on the Charvonía parcel. As such, the Service has determined that proposed activities associated with the construction, maintenance, and occupation of a single-family residence is likely to result in take of the species.

**Proposed Project:** The proposed project involves the construction, maintenance, and occupation of a single-family residence. The HCP provides the basis for issuance of an ITP to authorize the incidental take of Morro shoulderband snail associated with the construction, maintenance, and occupation of a single-family residence. The project footprint, including the residential structure, a three-car garage, a detached workshop, associated hardscape, and landscaping, will occupy approximately 65 percent (16,705 square feet; sf) of the parcel. The eastern portion of the parcel (approximately 35 percent [8,995 sf]) and small portions of the southwestern corner and southern central parcel boundary, where central maritime chaparral containing Morro manzanita is present and contiguous with offsite habitat, will be preserved. Construction is proposed for summer and/or fall of 2015.

**Permit Term:** The requested permit term is 10 years.

**Covered Lands:** The permit would address the entire 0.59-acre parcel legally described as County of San Luis Obispo Assessor Parcel Number 074-483-021 and located at 2599 San Dominico Avenue in the unincorporated community of Los Osos, San Luis Obispo County, California.

**Species Occupation and Baseline:** Morro shoulderband snail presence was established during survey efforts on the Charvonía parcel that were conducted in accordance with the Service's

guidance. A 2001 protocol-level survey (Jones and Stokes 2001) identified one live individual and five vacant shells of Morro shoulderband snail. The 2005 protocol-level survey (Tenera Environmental, Inc. 2005) confirmed species presence, identifying one live individual and three vacant shells. As part of a supplemental, non-protocol-level survey conducted in 2013 (Tenera Environmental, Inc. 2013), a single live individual and additional vacant shells were again identified. This indicates Morro shoulderband snails continue to occupy habitat on the Charvonía parcel.

**Species Goals:** The conservation strategy developed for the HCP incorporates payment of an in-lieu fee and benefits to Morro shoulderband snail from habitat enhancement for the federally threatened Morro manzanita (*Arctostaphylos morroensis*). Unavoidable take will be mitigated through funding of identified recovery tasks (e.g., population studies, habitat restoration) on select, conserved parcels within the known range of the species in as described in the *Recovery Plan for the Morro Shoulderband Snail and Four Plants from Western San Luis Obispo County, California* (Service 1998). One of the objectives of this mitigation strategy is to facilitate collection of data needed to address remaining recovery tasks identified for Morro shoulderband snail. Data resulting from the research will also be useful in the development of habitat management strategies that will be necessary for the eventual delisting of the species.

### **Minimization and Mitigation Measures**

**Minimization Measures:** All work associated with Morro shoulderband snails will be performed by a biologist (hereafter, the snail biologist) approved, in advance of the commencement of any activities, by the Service. To minimize take of Morro shoulderband snail in the form of injury or mortality, the applicants will retain a snail biologist to conduct pre-construction surveys of the site prior to the initiation of each construction phase. Monitoring will continue throughout the duration of construction activities. The purpose of the monitoring is to reduce take in the form of injury or mortality by capture and moving of all live Morro shoulderband snails out of harm's way into appropriate conserved habitat onsite or to an offsite parcel previously approved the Service. The snail biologist will also conduct a pre-construction environmental awareness workshop for all personnel working on-site. The intent of the workshop is to inform construction crews, field supervisors, and equipment operators regarding the status and presence of the species, grading and construction-activity restrictions, the avoidance and minimization measures specified in the HCP, the terms and conditions of the ITP, and legal ramifications of non-compliance. Finally, the snail biologist will have the authority to order any reasonable measure deemed necessary to prevent avoidable take of Morro shoulderband snail and to stop any work or activity that does not comply with the conditions set forth in the incidental take permit. Funding to implement the minimization measures and compliance monitoring (\$11,900) will be the responsibility of Linda and Russ Charvonía as the permittees, or their legal successor(s) in ownership.

**Mitigation Measures:** Mitigation for unavoidable take of Morro shoulderband snail individuals consist of the payment of an in-lieu fee of \$8,352 to the Morro Shoulderband Snail Impact Directed Environmental Account established and administered by the National Fish and Wildlife Foundation. This account is charged to receive and disburse funds for identified recovery

actions for the species as identified in the recovery plan (Service 1998). Additionally, Morro shoulderband snails will benefit from the conservation of approximately 9,000 sf of onsite habitat, 7,500 sf of which will be subject to restoration activities to mitigate for project impacts to Morro manzanita.

## **Monitoring and Reporting**

**Monitoring:** Monitoring for project effects will include pre-construction awareness training, and monitoring activities both prior to and during construction. A snail biologist will be present during the initial grading and excavation activities (e.g., clearing of vegetation and stripping of the surface soil layer) to monitor for Morro shoulderband snail presence and to capture and move identified individuals out of harm's way. The Service's Ventura Fish and Wildlife Office will be notified of any "stop work" order and any such order will remain in effect until the issue has been resolved. Upon completion of site grading activities, the monitor will visit the project site throughout the construction period to ensure that impacts to the project site comply with permit terms and conditions. During periods of rain or heavy fog/dew, the monitor will conduct pre-activity surveys to ensure no Morro shoulderband snails have migrated into the work area. No construction work will re-commence until the snail biologist determines that the work area is clear of Morro shoulderband snails.

**Reporting:** Monitoring results will be documented and reported to the Service. The reports will document project activities; delivery of workshop training; the number of Morro shoulderband snails identified, captured, and moved; compliance issues that may arise; and the level of take (in all forms). Reports will be submitted to the Service by December 31 each year and include, at a minimum: (1) a brief summary or list of project activities accomplished during the reporting year (e.g., development/construction activities, other covered activities); (2) project impacts; (3) a description of any take that occurred for each covered species (including cause of take, form of take, take amount, location of take and time of day, and deposition of dead or injured individuals); and (4) results of monitoring results (compliance, effects and effectiveness monitoring) and survey information (if applicable).

## **II. Does the HCP fit the following low-effect criteria?**

**A. Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitats covered under the HCP prior to implementation of the minimization and mitigation measures?** Yes. While it has been recently established that Morro shoulderband snails continue to be present onsite, the numbers revealed from surveys conducted between 2001 and 2013 consist of only a single live individual and varying numbers of vacant shells. Approximately 65 percent of the parcel will be conserved for its natural resource values. The remaining 35 percent, while providing some habitat value for Morro shoulderband snails, is dominated by non-native grasses (*Ehrharta calycina*) and iceplant (*Carpobrotus* spp.)

**B. Are the effects of the HCP minor or negligible on other environmental values or resources (e.g., air quality, geology and soils, water quality and quantity, socio-economic,**

cultural resources, recreation, visual resources, etc.) prior to implementation of the minimization and mitigation measures? Yes. The proposed project is the construction, maintenance, and occupation of a single-family residence on an existing, legal in-fill parcel in an area that is largely developed to the same use. It is not anticipated construction and occupation of one additional single-family residence at this site would result in any significant effects to the human environment.

**C. Would the impacts of this HCP, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects not result, over time, in cumulative effects to environmental values or resources that would be considered significant?** As discussed previously, the Charvonia parcel involves the construction of a single residence on an existing, legal, in-fill parcel located in a developed residential neighborhood. As such, we have determined that it is not likely to result in significant cumulative effects to environmental values or resources

### **III. Do any of the exceptions to categorical exclusions apply to this HCP? (Form 516 DM 2.3, Appendix 2)**

#### **Would implementation of the HCP:**

**A. Have significant adverse effects on public health or safety?** No. The HCP supports the issuance of an ITP for Morro shoulderband snail associated with the construction, maintenance, and occupation of a single-family residence in an existing neighborhood of same.

**B. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, migratory birds, or ecologically significant or critical areas?** No. The project site is a residentially zoned area that has been developed for many years. As such, the site does not contain any unique geographic characteristics such as large areas of native habitat; parks, recreations, refuge lands; wilderness areas; wild or scenic rivers; drinking water aquifers; prime farmlands; wetlands; floodplains; or ecologically significant areas. The Charvonia parcel is not within an identified conservation planning area (Service 1998) for Morro shoulderband snail or any other species.

**C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEP section 102(2)(E))?** No. The proposed project is consistent with County of San Luis Obispo zoning laws and regulations.

**D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?** No. The project is limited in size and scope. A maximum of one residence, a garage, and supporting infrastructure/landscaping are proposed for construction on an existing, legal parcel.

**E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?** No. The project is limited in size and scope. A maximum of one residence and supporting infrastructure/landscaping is proposed for construction and occupation on an existing, legal parcel that was created in compliance with the California Environmental Quality and California Coastal Acts.

**F. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects?** No. This is a single-action not related to any other.

**G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?** No. There will be no adverse effects to resources listed or eligible on the National Register of Historic Places.

**H. Have adverse effects on federally listed or species proposed for Federal listing, or have significant impacts on designated critical habitat for listed species?** The Charvonia parcel is not located within or adjacent to critical habitat designated for Morro shoulderband snail or any other species.

**I. Violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment?** No. The HCP supports the issuance of an ITP that would authorize take of Morro shoulderband snail incidental to otherwise lawful activities. This project will be subject to review pursuant to the County of San Luis Obispo's Local Coastal Plan. Project implementation will require issuance of a minor use permit by the County of San Luis Obispo and a Coastal Development Permit. The County requires that their applicants demonstrate that they are in compliance with the Act (e.g., have an ITP and intend to comply with its terms and conditions in order to obtain those permits necessary to allow activities that would result in take) prior to issuance of relevant County permits.

**J. Have adverse effects on wetlands, floodplains or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?** No. The site is comprised wholly of terrestrial upland habitat. There are no wetlands or floodplains onsite. The project is the construction and occupancy of a single-family residence and, thus, not considered a water development project.

**K. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?** No, the project involves the construction of and single-family residence to be owner-occupied.

**L. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites (EO 13007)?** No. The project site is not located proximal to any sacred sites used by Native American religious practitioners nor are such lands found within the project area.

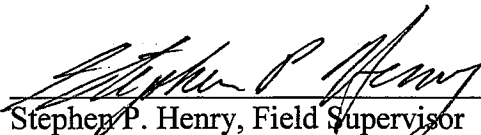
**M. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Acts and EO 13112)?** No. This project will actually result in the removal of areas of invasive non-native perennial veldt grass (*Ehrharta calycina*) that currently occupies much of the area where the residence and associated infrastructure would be constructed.

#### ENVIRONMENTAL ACTION STATEMENT

Based on the analysis above, the Charvonia HCP qualifies for use of a categorical exclusion as its National Environmental Policy Act compliance as defined in the Service's *Habitat Conservation Planning Handbook* and is excluded from further National Environmental Policy Act documentation as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1.

Other supporting documents: Charvonia Parcel Habitat Conservation Plan, NFWF IDEA Agreement with the Ventura Fish and Wildlife Office.

Concurrence:

  
Stephen P. Henry, Field Supervisor

April 21, 2014  
Date